

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
BEFORE THE JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE
IN OPPOSITION TO L.D. 1321**

**An Act To Expand the Landowner Relations Program at the Department of Inland
Fisheries and Wildlife**

SPONSORED BY: Representative ESPLING of New Gloucester.
COSPONSORED BY: Representative MacCabe of Skowhegan.

DATE OF HEARING: April 30, 2015

Good afternoon Senator Davis, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Major Chris Cloutier of the Maine Warden Service representing Department of Inland Fisheries and Wildlife, speaking in opposition of **L.D. 1321**.

This bill would focus on three key points: 1.) Enhancing the current program; 2.) Developing and implementing a Keep Maine Clean program; 3.) Would make changes to the current structure of the Landowner Sportsman Advisory Board terms and appointments. My testimony today will focus on what the Department program is currently doing in these three areas so the Committee can fully evaluate whether or not this bill is actually needed.

Enhance the Landowner Relations Program

Currently the Department has established a working relationship with Maine land user groups. We are actively engaged in dialogue with the Sportsman Alliance of Maine, the Maine Snowmobile Association, and A.T.V. Maine on public access to private property issues. We are enhancing and developing advertisements that will bring awareness to the landowner-related issues. We distribute the Outdoor Partner information pamphlets to over 700 license agents and make them available at Wal-Mart, Kittery Trading Post, Cabela's and L.L. Bean. We publish articles and produce messaging that supports wise and ethical use of private land in over 500,000 of our Department summary law books. We have published articles in SAM, SWOAM, North Maine Woods, Maine ATV, and MSA newsletters reaching all readers. We promote landowner-relation efforts and information on Facebook and the Department website. We are in the final stages of developing a landowner relations public service announcement that will be airing soon on network channels.

Keep Maine Clean

Recently, we developed the Outdoor Partners Trash Bag Program. We have secured partnerships with several user and landowner groups to print 100,000 trash bags with messaging that promotes public awareness regarding keeping land clean and the importance of being good stewards of the land. We are working towards an end goal of having local landfills cover the cost of disposal of all these bags but this is a tough objective to reach. The bags are currently being provided to user groups and handed out at outdoor sporting events. We are also working on developing a landowner cleanup month with the tentative beginning time period of August 2015. The initiative will be sponsored by the Kittery Trading

Post and the Maine Department of Inland Fisheries and Wildlife. Large dumpsters will be distributed at the five regional Warden Service facilities and staffed by Warden Service personnel. All outdoor user groups will be invited to participate in a cleanup challenge. The top four user groups who collect the most debris as a result of this cleanup month will receive gift cards from the Kittery Trading Post.

In addition, 110 Maine Game Wardens are now equipped with a landowner relief kit that provides them with some basic tools and items to address landowner relation issues when they meet with a landowner.

Landowner Sportsman Relations Advisory Board

Currently in statute, there is language that directs the Landowner Sportsmen Relations Advisory Board. The Board is charged with the following:

- A. Propose changes to or advise the commissioner on landowner-related laws, rules, Department policies, and other significant landowner and land user issues;
- B. Review landowner-related policies and procedures, conduct studies, evaluate programs, and make recommendations to the commissioner;
- C. Obtain public use of private and public land for recreational activities by assisting with conflict resolution as it pertains to public access issues on both private and public lands and promote greater understanding and cooperation between owners and users of these lands;
- D. Review and make recommendations regarding programs administered by other agencies. The commissioner shall coordinate all reviews;
- E. Conduct an organizational review of the advisory board every 5 years. This review must be designed to provide the information necessary to ascertain whether the advisory board has the membership required by subsection 1 and the advisory board is fulfilling its duties. If the review indicates that the advisory board does not have the correct representational membership, a sub-committee of the members of the advisory board must be convened to recommend to the commissioner appropriate changes. At any time, the advisory board may recommend to the commissioner ways to improve the advisory board's membership or function, and the commissioner shall act upon those recommendations; and
- F. Establish a protocol to contact and work with the courts to identify public service opportunities for a person who has violated a litter law under Title 17, section 2264-A.

The Department feels that the decision on the organizational structure of appointments, selections, etc. is one that the Committee should give careful consideration to. Eliminating or not including certain user or landowner groups could be problematic to the overall effectiveness of the program. Consultation with the current chair of the Landowner Sportsman Relations Advisory Board would be beneficial to the Committee in making this determination.

In closing, I would offer that Title 12, Section 10205 would require that any new program or service involving mandated responsibility to the Department must include provisions that specify full funding for the new program or service which is collected from those individuals who receive the service from the Department. We find no funding solution within the bill language that would absorb some of the cost of what the bill mandates. There is language in this bill that speaks to a wide variety of activities outside of the mission of the Maine Department of Inland Fisheries and Wildlife. We see that placing the broad spectrum of any and all landowner-relation issues on the Department, especially those that do not fall

under our mission, as problematic. We feel that each agency that deals with public access to private property should have a healthy landowner relations program in place to address areas that fall under their jurisdiction. Much of what this bill is trying to accomplish is currently occurring under the program in place today.

I would be happy to answer any questions you have at this time, or at the work session.